

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST LITIGATION

Civil No. 18-cv-01776
(JRT/JFD)

This Document Relates To:

The Actions of: McDonald's Corporation, Aramark Food and Support Services Group, Inc., Target Corporation, Quality Supply Chain Co-Op, Inc., Sherwood Food Distributors, L.L.C., Harvest Meat Company, Inc., Western Boxed Meat Distributors, Inc., Hamilton Meat, LLC, Jetro Holdings, LLC, BJ's Wholesale Club, Inc., Kraft Heinz Foods Company, Dollar General Corporation, Raley's, Compass Group USA, Inc., Conagra Brands, Inc., Howard B. Samuels, solely as Chapter 7 Trustee of the estate of Central Grocers, Inc., Nestlé USA, Inc., and Nestlé Purina PetCare Co.

**CERTAIN DIRECT ACTION PLAINTIFFS'
JOINDER IN MOVING PLAINTIFFS' OBJECTION TO
MAGISTRATE JUDGE DOCHERTY'S DECEMBER 9, 2022 ORDER**

Direct-Action Plaintiffs McDonald's Corporation, Aramark Food and Support Services Group, Inc., Target Corporation, Quality Supply Chain Co-Op, Inc., Sherwood Food Distributors, L.L.C., Harvest Meat Company, Inc., Western Boxed Meat Distributors, Inc., Hamilton Meat, LLC, Jetro Holdings, LLC, BJ's Wholesale Club, Inc., Kraft Heinz Foods Company, Dollar General Corporation, Raley's, Compass Group USA, Inc., Conagra Brands, Inc., Howard B. Samuels, solely as Chapter 7 Trustee of the

estate of Central Grocers, Inc., Nestlé USA, Inc., and Nestlé Purina PetCare Co. (“Certain DAPs”) hereby join in Moving Plaintiffs’¹ December 23, 2022 Objection to Magistrate Judge Docherty’s December 9, 2022 Order (“Objection” at ECF 1689) denying Moving Plaintiffs’ Motion to Compel JBS USA (“JBS”) to prepare and provide a witness for the 30(b)(6) deposition of JBS on certain portions of Topics 20 and 23 of the Notice of 30(b)(6) Deposition to JBS (the “Motion” at ECF 1593).

Pursuant to Local Rule 72.2, “a party may respond to another party’s objections within 14 days after being served with a copy.” Certain DAPs, being parties that were served with the Objection on December 23, 2022, hereby respond in support of the Objection.

Judge Docherty apparently interpreted Certain DAPs’ failure to sign the Motion as an indication that Certain DAPs viewed the relief sought as unimportant. *See* Hearing Tr. at 32:7-16. That inference is mistaken. At the time the Motion was filed Certain DAPs supported it because the discovery sought is relevant and important to Certain DAPs’ cases against Defendants. Certain DAPs did not sign the Motion because we saw no need to do so, given that the relief sought by the Motion, if granted, would result in deposition testimony usable by all Plaintiffs. We thought it sufficient for the Moving Plaintiffs’ to sign the Motion because they had taken the lead with the respect to discovery from JBS.

To dispel any uncertainty, Certain DAPs state that they agree in full with the

¹ “Moving Plaintiffs” are Sysco Corporation, Amory Investments LLC, and the Commonwealth of Puerto Rico.

Motion. Certain DAPs also agree with the arguments in the Objection (ECF 1689), and join in the Objection and the relief requested therein.

Dated: December 29, 2022

/s/ Philip J. Iovieno

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**CERTIFICATE OF COMPLIANCE REGARDING
CERTAIN DIRECT ACTION PLAINTIFFS'
JOINDER IN MOVING PLAINTIFFS' OBJECTION TO
MAGISTRATE JUDGE DOCHERTY'S DECEMBER 9, 2022 ORDER**

I, Philip J. Iovieno, certify that this joinder complies with the type-volume limitation of D. Minn. L.R. 72.2(c)(1) and with the type-size limit of D. Minn. L.R. 72.2(c)(2). The

brief has 371 words of type, font size 13 and was prepared using Microsoft Word, which includes all text, including headings, footnotes, and quotations in the word count.

Dated: December 29, 2022

/s/ Philip J. Iovieno

Philip J. Iovieno

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